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| 27195    7590    07/16/2007 | EXAMINER |
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on _04/24/2007_.

2a)☒ This action is **FINAL**.          2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) _1-23_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-23_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All  b)☐ Some *  c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

## DETAILED ACTION

The examiner acknowledges the applicant's submission on 04/09/2007, wherein claims

1, 3-7, 9-12, 16-17, and 20-23 have been amended and claims 1-23 remain pending in

the application.

### Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-23 are rejected under 35 U.S.C. 102(b) as being anticipated by Card et al (

US Patent No. 7,069,518) ('Card hereinafter).

**Regarding claim 1**, Card discloses a system for displaying item collection previews (i.e.

multiple page viewing, Col. 5 lines 60-64, Claim 19), comprising: at least one display

object (i.e. three dimensional book, 800 Fig. 8 Drawing) having metadata tags (i.e.

chapter tabs, 805 Fig. 8 Drawing) describing two or more data items in a collection of

data items, (Col. 11 lines 1-5), ; and a control component (Col. 16 lines 18-20)

configured to selectively animates (i.e. animation) a presentation of the items based in

part on the metadata tags (Col. 12 lines 4-15) or and detected user activities (Col. 9

lines 63-66).

**Regarding claim 2**, Card discloses a system further comprising one or more controller

inputs to control the presentation of the items (Col. 16 lines 18-21, Col. 15 lines 61-64).

**Regarding claim 3**, Card discloses a system wherein the controller inputs include at least one of a mouse cursor control (i.e. cursor moves), a mouse wheel control, a voice command, an eye-gaze control, and a mechanical control to control the presentation of items (Col. 12 lines 32-42, Col. 15 lines 61-64, Col. 16 lines 34-36).

**Regarding claim 4**, Card discloses a system wherein the collection of data items (i.e. multiple slide out pages) further comprising a top item displayed as a thumbnail preview (440 Fig. 5B Drawing) or an expanded size preview (420 Fig. 5B Drawing), (Col. 8 lines 28-31). **Note**: Card discloses a partial page (i.e. thumbnail) is zoomed (i.e. an expanded size preview) to allow for the user to read the text and causing the top portion of the page to tip toward the user in the display until readable.

**Regarding claim 5**, Card discloses a system further comprising a control to provide a transitional animation (i.e. animating the transition) employed to visually link movement of an axial (i.e. parallel/slider) controller (Col. 6 lines 48-50,Col. 14 lines 8 and 9) with a change in a displayed icon (310 Fig. 3A, 3B Drawing, Col. 6 lines 55-63).

**Regarding claim 6**, Card discloses a system further comprising a currently selected preview image (i.e. selected, page in view) the currently selected preview image integrated with (i.e. relationship) a collection icon as a reminder of collection contents (i.e. content of the book), (Col. 21 lines 61-64).

**Regarding claim 7**, Card discloses a system wherein the control component further comprises at least one of an object locator, a command detector (command, Col. 13 lines 20-23), a content analyzer (Col. 17 lines 1-10), and a formatter to selectively animate the presentation of the items (Col. 13 lines 49-53, Col. 12 lines 61-65)

**Regarding claim 8**, Card discloses a system further comprising a graphical user interface (Fig.11 Drawing) to selectively animate the presentation of items (Col. 12 lines 61-65).

**Regarding claim 9**, Card discloses a system wherein the graphical user interface further comprising a set of preference controls (i.e. selectively control) configured to change (Col. 12 lines 47-50), by type of item (Col 5. lines 56-62), preview visualizations (Col. 12 lines 29-31) and access (Col. 10 lines 34-36) behaviors associated (i.e. create a customized index) therewith (Card Claim 1).

**Regarding claim 10**, Card discloses a system wherein the items include one or more subcomponents configured to be previewed (i.e. thumbnail Col. 7 line 24), selected (i.e. click on the page, (Col 7 lines 65 and 66), or displayed (Col. 7 lines 14-16).

**Regarding claim 11**, Card discloses a system wherein the items can be previewed in two dimensional (two facing pages) or three-dimensional form (i.e. three-dimensional book),(Col. 6 lines 38-47).

**Regarding claim 12**, Card discloses a system further comprising global controls for collecting unrelated items in a set of items to subsequently preview the items (440 Fig. 5B Drawing). **Note**: Applicant shows a group of unrelated files, folders, or display entities in 400 Fig. 3 of the applicant's drawing)

**Regarding claim 13**, Card discloses a system further comprising controls to scale the items to be previewed (Col. 9 lines 49-52,63-66).

**Regarding claim 14**, Card discloses a system, further comprising a control to determine a rough position in a collection of items (Col. 12 lines 19-31).

**Regarding claim 15**, Card discloses a computer readable medium having computer readable instructions stored thereon for implementing at least one of the display object (Card Claim 36) and the control component (Col. 9 line 65).

**Regarding claim 16**, Card discloses a system configured to facilitate information preview from a collection (Col. 5 lines 60-64, Claim 19), comprising: means for displaying a set of information items (i.e. list of items),(Col. 10 lines 7-10); means for selecting the set of information items (Col. 21 lines 61-64); means for detecting a value (1 Fig. 8 Drawing) with respect to the set of information items (i.e. chapter tabs), (Col. 10 lines 57-62); and means for previewing the information items(805 Fig. 8 Drawing) based upon incrementing (i.e. upward) or decrementing (i.e. downward) the value (Col. 10 lines 53-56). Note: Card discloses an "Intrinsic DOI" value which can be based on the nature of the object with a value of $-1$ and all other objects assigned a degree of interest value of $-2$ (Col. 9 lines 1-8).

**Regarding claim 17**, Card discloses a method to facilitate information previews from a set of items, comprising: selecting a stack (i.e. book) of display items with a first control (i.e. clicking), (Col. 12 lines 18-24); and cycling (i.e. simulating page turning) the stack of display items (i.e. book) with a second control (i.e. holding a mouse button while making a rightward gesture, page flipping, showing a fraction of a page) in order to provide an information preview (i.e. view) with respect to at least one of the items (i.e. page)(Col. 12 lines 18-32, 33-38, 61-63).

**Regarding claim 18**, Card discloses a method further comprising providing a transitional display (i.e. animation) (Col. 12 lines 61-63) for at least two display items

(i.e. facing page and following page) in accordance with the second control (i.e. showing

a fraction of a page), (Col. 13 lines 1-3).

**Regarding claim 19**, Card discloses a method further comprising employing the first

control (i.e. clicking) to find an approximate position (i.e. term or page number) in the

stack of display items (i.e. book), (Col. 16 lines 28-33, Col. 15 lines 63-67, Col. 16 lines

49-51).

**Regarding claim 20**, Card discloses a method the information preview is associated

with at least one of a display configured to be about the same size as the stack, smaller

than the stack, and larger than the stack (i.e. the stack, 440 Fig. 5B Drawing).

**Regarding claim 21**, Card discloses a method wherein the first control (i.e. clicking) is

associated with a cursor which is controlled by a mouse (Col. 16 lines 28-33, 34-36) and

wherein the second control is associated with a wheel of the mouse.

**Regarding claim 22**, Card discloses a graphical user interface, comprising: a display

object for displaying a group of pages (Fig. 8 Drawing); a tag (i.e. chapter tab)

associated with each member page from the group of pages (i.e. book), (Col. 10 lines

57-59); a cursor to select (i.e. user selectable) the group of pages (i.e. three

dimensional book) and an axial controller (i.e. slider) to cycle (i.e. navigate) the group of

pages using the associated tags, (Col. 10 lines 49-54, Col. 14 lines 8 and 9).

**Regarding claim 23**, Card discloses a graphical user interface wherein the axial

controller (i.e. slider) causes a transition animation (i.e. animating the transition)

between pages when cycling (i.e. navigate) the group of pages (i.e. three dimensional

book),(310 Fig. 3A, 3B Drawing, Col. 6 lines 55-63, Col. 14 lines 8 and 9, Col. 10 lines

49-54).

### *Response to Arguments*

With the amendments made, the U.S.C. § 112 rejections and the objection to the

claims are withdrawn.

Applicant's remarks regarding Card failing to anticipate independent claims 1-23

have been fully reconsidered but are not persuasive.

**Regarding claims 1**, applicant argues Card does not teach "**at least one display**

**object having metadata tags**" and "**a control component configured to selectively**

**animate a presentation of items based at least in part on the metadata tags**".

Applicant refers to the applicant's specification at paragraph 29, "a document collection

300 and associated tags are illustrated in Figure 3 in accordance with one aspect of the

present invention. In this aspect, **a collection 300 of documents, sheets, files, or**

**items** is depicted having a plurality of members in the collection. As illustrated,

respective members can be associated with **a metadata tag illustrated as tags 1**

**through T, T being an integer**. Thus, when the collection 300 is selected, items in the

collection can be indexed, processed and cycled for display via the metadata tags".

By definition, metadata is data about data.  The metadata tags can generally be

a keyword, term, or number associated with or assigned to a piece of information which

are typically used for resources such as computer files, web pages, digital images, and

bookmarking.

In response, Card discloses a three dimensional book (i.e. a display object) included with **(chapter tabs 805 Fig. 8 Drawing)**, (i.e. metadata tags) **illustrated as tabs 1 through 10** (Fig. 8 Drawing). Card discloses chapter tabs include information such as text identifications. The utility of tabs also provides the information on both sides of the tab so that as the pages corresponding to the chapters are turned the information contained thereon remains available (Col. 11 lines 1-5). Additionally Card discloses creating a customized index for a given search term (Col. 17 lines 26 and 27). The custom index is constructed into a virtual page for display (Col. 18 lines 61 and 62).

The search term can be construed as a metadata tags being that clicking (i.e. selecting) the "search term animates the book" (i.e. book/a presentation of the items), Col. 18 lines 64-66).

Applicant argues Card does not disclose "**a control component configured to selectively animate a presentation of the items based at least in part on the metadata tags**".

In response Card discloses holding down a mouse (i.e. control component) while moving across the image of the object (Col. 9 lines 63-66). Furthermore Card discloses "larger chapter tabs" which "provide the user with **information** about the **relative** page **selectability** of the sections of the book", wherein the book (i.e. display object) is navigated (Col. 12 lines 4-25) therefore the sections of the book (i.e. the in part based table of contents/metadata data) are **selected (i.e. mouse)** to display and become navigated (i.e. animate a presentation).

**Regarding claim 22**, applicant argues Card fails to teach "**a tag** associated with each member page from the group of pages" and "an axial controller to cycle the group of pages **using the associated tags**". In response, Card discloses a graphical user interface, comprising: a display object for displaying a group of pages (Fig. 8 Drawing); a tag (i.e. chapter tab) associated with each member page from the group of pages (i.e. book), (Col. 10 lines 57-59) and an axial controller (i.e. slider) to cycle (i.e. navigate) the group of pages using the associated tags, (Col. 10 lines 49-54, Col. 14 lines 8 and 9). Furthermore, Card discloses selecting a dynamic bookmark (i.e. metadata tags) opens the virtual three-dimensional book (i.e. animate a presentation of the items) to a corresponding virtual page location (Claim 50).

**Regarding claim 17**, applicant argues that Card fails to show a "first control" and "second control". In response, Card discloses selecting a stack (i.e. book) of display items with a first control (i.e. clicking), (Col. 12 lines 18-24); and cycling (i.e. simulating page turning) the stack of display items (i.e. book) with a second control (i.e. holding a mouse button while making a rightward gesture, page flipping, showing a fraction of a page) in order to provide an information preview (i.e. view) with respect to at least one of the items (i.e. page),(Col. 12 lines 18-32, 33-38, 61-63).

## Conclusion

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

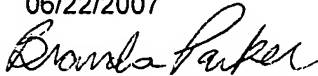than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Brandon Parker whose telephone number is 571-270-

1302. The examiner can normally be reached on Monday thru Friday 7:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kristine Kincaid can be reached 571-272-4063. The fax phone number for

the organization where this application or proceeding is assigned is 571-270-2302.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

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USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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06/22/2007

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